

Because the transferee court would also be the appropriate forum for the resolution of substantive issues in the case, this Court also removed Zillow's motion to dismiss [Dkt. No. 34] from its pending motion list. What this Court learned only after the case had been transferred was that two days earlier Seplowin had filed two other motions -- one seeking this Court's recusal and the other a "motion to abate, or in the alternative, motion for extension of time to respond to defendant's motions to dismiss and to change venue." For whatever reason, Seplowin never referred to either of those motions at the time this Court dealt with Zillow's Section 1404(a) motion, and this Court was accordingly unaware of their filing. It should be said, however, that the motion for recusal was totally groundless (rather than this Court's "prejudging this case," as Seplowin would have it, it simply honored the forum selection clause that both sides had voluntarily agreed to). In any event, both the motion for recusal [Dkt. No. 41] and Seplowin's other motion [Dkt. No. 42] are denied as moot.



Milton I. Shadur
Senior United States District Judge

Date: May 19, 2015